

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

CHRISTOPHER T. POSNER, )  
Plaintiff, )  
v. )  
CAROLYN W. COLVIN, ) No.: 3:13-CV-435-TAV-HBG  
Commissioner of Social Security, )  
Defendant. )

## **ORDER**

This matter is before the Court on the Report and Recommendation (the “R&R”) entered by United States Magistrate Judge H. Bruce Guyton on June 6, 2014 [Doc. 20]. In the R&R, Magistrate Judge Guyton recommended that plaintiff’s Motion for Summary Judgment [Doc. 15] be granted in part and denied in part and defendant’s Motion for Summary Judgment [Doc. 17] be denied. Further, Magistrate Judge Guyton recommended that this case be remanded to the Commissioner for further proceedings consistent with the R&R. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of the matter, the Court is in agreement with Magistrate Judge Guyton’s recommendations, which the Court adopts and incorporates into its ruling. Accordingly, plaintiff’s Motion for Summary Judgment [Doc. 15] is **GRANTED in part** and **DENIED in part**. Defendant’s Motion for Summary Judgment [Doc. 17] is

**DENIED.** This case is hereby **REMANDED** to the Commissioner for further proceedings consistent with the R&R.

IT IS SO ORDERED.

s/ Thomas A. Varlan  
CHIEF UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

*s/ Debra C. Poplin*  
CLERK OF COURT